

Exhibit “Q”

Part 2

**MOTION – ADOPT ESTABLISHMENT OF EXTENSION 2 OF
SEWER DISTRICT 19 (BENEDICT POND)**

MOTION BY COUNCIL: Weyant

SECONDED BY COUNCIL: Biasotti

The Town Board of the Town of New Windsor adopt the establishment of extension 2 of sewer district 19 (Benedict Pond), pursuant to Article 12 of the Town Law and in accordance with the Resolution attached hereto.

ROLL CALL: All Ays

MOTION CARRIED: 5-0

Town Board Agenda: October 4, 2006

RESOLUTION OF THE TOWN OF NEW WINDSOR, NEW YORK, ADOPTED OCTOBER 4, 2006, APPROVING THE ESTABLISHMENT OF EXTENSION NO. 2 TO SEWER DISTRICT NO. 19, IN SAID TOWN, AND THE ACQUISITION OF THE SEWER IMPROVEMENT, IF ANY, TO BE CONSTRUCTED THEREIN.

Recitals

WHEREAS, the Town Board of the Town of New Windsor (herein called "Town Board" and "Town," respectively), in the County of Orange, New York, has received a petition, pursuant to Section 191 of the Town Law, for the establishment of Extension No. 2 to Sewer District No. 19, (the "Extension"), which petition is signed by the owners of taxable real property situate in the proposed district, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed Extension, as shown upon the latest completed assessment-roll of said Town, and, if there be resident owners, including the signatures of resident owners of taxable real property owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed extension, owned by resident owners according to the latest completed assessment roll, and was accompanied by a map and plan prepared by Engineering & Technical Resources, Inc., competent engineers duly licensed by the State of New York, relating to the establishment of the Extension and the acquisition by gift of the Sewer Improvement, if any, to be constructed therein by the Benedict Pond @ New Windsor, LLC (the "Developers") to provide sewer service within the Extension, said improvements to include the construction of a sewer system therein, consisting of the

installation of an "Environmental One" grinder pump facility incorporating a primary and backup pump, the installation of a four (4) inch gravity sewer main and approximately 9,922 linear feet of pressurized sewer main, pump stations and related piping, including land or rights in land, original furnishings, equipment, machinery, apparatus and appurtenances thereto as described in said map, plan and report as described in a map, plan and report prepared by Engineering & Technical Resources, Inc., competent engineers duly licensed by the State of New York (the "Sewer Improvement"), which map and plan have been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, said petition described the boundaries of the proposed Extension in a manner sufficient to identify the lands included therein as in a deed of conveyance and was signed by the petitioner and acknowledged or proved in the same manner as a deed to be recorded; and

WHEREAS, pursuant to the Order duly adopted on September 6, 2006, the Town Board determined to proceed with the establishment of the proposed Extension and adopted an Order reciting in general terms the filing of such petition, a description of the boundaries of the Extension in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the fact that the improvements are to be constructed and paid for by the Developers and acquired by gift at no cost to the Town or the Extension, the estimated cost of hook-up fees, if any, the estimated cost of establishing the Extension and constructing improvements, if any, to the Typical Property (as defined in the Town Law), the fact that a map and plan describing the same are on file in the Town Clerk's office for public inspection and specifying October 4, 2006, at 7:00 o'clock P.M. (Prevailing Time) as the time

when, and the Town Hall, 555 Union Avenue, New Windsor, New York, as the place where, the Town Board would meet to consider the establishment of the Extension and acquisition of the Sewer Improvement to be constructed and installed therein, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by law; and

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, the Town Board has given due consideration to the impact that the establishment of the Extension and acquisition of the Sewer Improvement, if any, to be constructed and installed therein, may have on the environment and on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, a duly executed negative declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and

WHEREAS, a Public Hearing in the matter was duly held by the Town Board on this 4th day of October, 2006, commencing at 7:00 o'clock P.M. (Prevailing Time), at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of and those opposed to, the establishment of the proposed Extension;

NOW, THEREFORE, upon the evidence adduced at such Public Hearing, be it
RESOLVED BY THE TOWN BOARD OF THE TOWN OF NEW WINDSOR,
IN THE COUNTY OF ORANGE, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that:

(a) the petition was signed and acknowledged or proved as required by law
and is otherwise sufficient;

(b) all the property and property owners included within the proposed
Extension, hereinabove referred to in the recitals hereof, are benefited thereby;

(c) all the property and property owners benefited are included within the
limits of the proposed Extension; and

(d) it is in the public interest to grant in whole the relief sought.

Section 2. The establishment of the Extension is hereby approved, as hereinafter
described, and the proposed Sewer Improvement, if any, to be constructed and installed therein
shall be acquired by gift as set forth in the recitals hereof, and the Extension shall be designated
and known as Extension No. 2 to Sewer District No. 19, in the Town of New Windsor, and shall
be bounded and described as follows:

All that certain plot, piece or parcel of land situate, lying and being in the Town of New
Windsor, County of Orange and State of New York. Being more fully bounded and described as
follows:

BEGINNING at a point on the easterly right-of-way of Mt. Airy Road; said point being located
at the southwest corner of Tax Lot 95-1-13; running thence along the southerly and easterly line
of Tax Lot 95-1-13 the following two (2) courses and distances:

1) S73-39-40E, 192.37 feet;

- 2) N00-17-40E, 412.93 feet; thence
- 3) N72-10-35E, 393.36 feet along the southerly line of Tax Lots 85-1-1 and 85-1-13.2; running thence along the line of Tax Lot 85-1-13.2 the following two (2) courses and distances:
- 4) S35-58-50E, 72.98 feet:
- 5) N61-41-45E, 352.53 feet; thence
- 6) S59-09-47E, 71.31 feet along the southwesterly right-of-way line of Dean Hill Road; thence
- 7) S35-37-45E, 340.35 feet along the southwesterly line of Tax Lot 95-1-14; running thence along the northwesterly line of Tax Lot 67-2-12 the following five (5) courses and distances:
- 8) S51-57-20W, 260.60 feet:
- 9) S23-28-45E, 50.68 feet;
- 10) N45-03-54E, 16.80 feet:
- 11) N61-18-23E, 136.80 feet;
- 12) N86-52-26E, 76.19 feet; running thence along the southwest line of Tax Lot 67-2-11.2 the following two (2) courses and distances:
- 13) N88-45-10E, 74.70 feet;
- 14) S77-52-08E, 91.57 feet; thence
- 15) S34-55-01E, 137.26 feet along the southwesterly line of Tax Lot 67-2-10.2; thence
- 16) S46-33-50E, 124.26 feet along the southwesterly line of Tax Lots 67-2-10.2 and 67-2-9.2; running thence along the southwesterly line of Tax Lot 67-2-9.2 the following two (2) courses and distances:
- 17) S50-17-46E, 62.91 feet;
- 18) N77-25-05E, 14.85 feet; running thence along the westerly and southerly line of Tax Lot 67-2-8.2 the following two (2) courses and distances:
- 19) S18-13-02E, 67.71 feet;
- 20) S51-09-12W, 86.50 feet; running thence along the southwesterly and southerly line of

Tax Lot 67-1-6.2 the following two (2) courses and distances:

- 21) S27-26-10E, 78.57 feet;
- 22) N88-35-20E, 210.62 feet; running thence along the westerly line of Tax Lot 67-2-6.1 the following two (2) courses and distances:
- 23) S24-29-00E, 130.85 feet;
- 24) S24-32-56E, 117.00 feet; thence
- 25) S71-20-05W, 285.31 feet along the line of Tax Lot 67-2-6.1 and the northerly line of Tax Lot 67-3-1; thence
- 26) S08-41-45E, 177.70 feet along the westerly line of Tax Lot 67-3-1; thence
- 27) S29-14-50E, 195.42 feet along the southwesterly line of Tax Lots 67-3-1, 67-3-2 and 67-3-3; thence
- 28) S27-07-55E, 75.64 feet along the southwesterly line of Tax Lot 67-3-3; running thence along the new proposed northwesterly and southwesterly line of Tax Lot 67-3-5 the following two (2) courses and distances:
- 29) S54-19-09W, 48.80 feet;
- 30) S56-04-43E, 99.70 feet; running thence along the westerly line of Tax Lot 67-3-6 the following two (2) courses and distances:
- 31) S38-48-45E, 16.45 feet;

- 32) S08-50-45E, 6.30 feet;
- 33) N82-40-44W, 186.04 feet along the new proposed northerly line of Tax Lot 67-7-1; running thence along the northerly and westerly line of Tax Lot 67-7-2 the following three (3) courses and distances:
- 34) N72-37-50W, 176.18 feet;
- 35) N74-48-58W, 38.29 feet;
- 36) S14-40-40W, 128.00 feet; running thence along the northerly and westerly line of Tax Lot 67-7-3 the following two (2) courses and distances:
- 37) N75-35-00W, 160.00 feet;
- 38) S14-25-00W, 104.53 feet; thence
- 39) N82-21-00W, 917.03 feet along the Town Line between the Town of New Windsor to the north and the Town of Cornwall to the south, also being the northerly line of Tax Lots 5-1-6, 5-1-7 and 5-1-8 in the Town of Cornwall; thence
- 40) N06-33-45E, 258.49 feet along the easterly line of Tax Lots 66-1-13 and 66-1-9.1; thence
- 41) N37-45-55W, 155.34 feet along the northeasterly line of Tax Lot 66-1-9.1; thence
- 42) N37-16-50W, 187.70 feet still along the northeasterly line of Tax Lot 66-1-9.1 and the northeasterly line of Tax Lot 66-1-9.2; running thence still along the northeasterly line of Tax Lot 66-1-9.2 the following two (2) courses and distances:
- 43) N38-12-55W, 131.61 feet;
- 44) N40-00-05W, 125.04 feet; running thence along the easterly right-of-way line of Mt. Airy Road the following three (3) courses and distances:
- 45) N04-17-10E, 197.89 feet;
- 46) N01-29-15E, 114.40 feet;
- 47) N01-51-25W, 57.42 feet to the point or place of BEGINNING.

Consisting of 50.72 acres of land.

Section 3. The said Sewer Improvement, if any, as hereinabove described, is to be constructed and installed and paid for by the Developers and acquired by gift at no cost to the Town or the Extension, and the expense of the maintenance of the Extension shall be shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the Extension which the Town Board shall deem especially benefited by said facilities so much upon and from each as shall be in just proportion to the amount of the benefit which the improvement shall confer upon the same.

Section 4. The Town Clerk of the Town is hereby authorized and directed within ten (10) days after the adoption of this resolution, to record with the County Clerk of the County of Orange and file with the Department of Audit and Control in Albany, New York, copies of this resolution certified by said Town Clerk.

Section 5. This resolution shall take effect immediately.

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Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

OFFICE OF THE PLANNING BOARD

January 10, 2007

Jacobowitz & Gubits
P.O. Box 367
Walden, NY 12586-0367

ATTN: ROBERT DI NARDO, ESQ.

SUBJECT: P.B. #04-35 BENEDICT, MCCASTER, SATTERLY LL CHG.

Dear Mr. DiNardo:

Please find attached printouts of fees due for subject project.

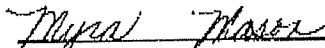
Please contact your client, the applicant, and ask that payment be submitted in separate checks, payable to the Town of New Windsor, as follows:

Check #1 - Approval Fee.....	\$	150.00
Check #2 - Amount over escrow posted.....	\$	283.40

Upon receipt of these checks and ten (10) sets of plans (5 sets folded) with one mylar, I will have the plans stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,


Myra L. Mason, Secretary To The
NEW WINDSOR PLANNING BOARD

MLM

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/10/2007

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LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE PA2004-1509

APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/08/2007	LL CHG APPROVAL FEE	CHG	150.00		
			-----	-----	-----
		TOTAL:	150.00	0.00	150.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/10/2007

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LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE PA2004-1509
APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
12/06/2004	REC. CK. #52168	PAID		150.00	
12/08/2004	P.B. ATTY. FEE	CHG	35.00		
12/08/2004	P.B. MINUTES	CHG	5.50		
04/27/2005	P.B. ATTY. FEE	CHG	35.00		
04/27/2005	P.B. MINUTES	CHG	16.50		
01/08/2007	P.B. ENGINEER FEE	CHG	341.40		
			-----	-----	-----
		TOTAL:	433.40	150.00	283.40



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

OFFICE OF THE PLANNING BOARD

January 10, 2007

Jacobowitz & Gubits
P.O. Box 367
Walden, NY 12586-0367

ATTN: ROBERT DI NARDO, ESQ.

SUBJECT: P.O. #02-30 BENEDICT POND SENIOR PROJECT

Dear Mr. DiNardo:

Please find attached printouts of fees due for subject project.

Please contact your client, the applicant, and ask that payment be submitted in separate checks, payable to the Town of New Windsor, as follows:


Check #1 - Approval Fee.....	\$	3,100.00
Check #2 - Amount over escrow posted.....	\$	1,916.66
Check #3 - 2% of cost estimate (\$3,727,250.00)insp.fee..	\$	74,545.00
Check #4 - 119 unit Recreation Fee @\$2,000.00/unit....	\$	238,000.00

PLEASE NOTE: A BOND IN THE AMOUNT OF \$3,727,250.00 MUST BE POSTED OR THE BONDED IMPROVEMENTS MUST BE COMPLETED PRIOR TO THE PLANS BEING STAMPED APPROVED.

Upon receipt of these checks and ten (10) sets of plans, with 5 sets being folded, I will have the plans stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,


Myra L. Mason, Secretary To The
NEW WINDSOR PLANNING BOARD

MLM

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/10/2007

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LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 2-30

NAME: BENEDICT POND SENIOR PROJECT - PA2002-0031
APPLICANT: BENEDICT PONT AT NEW WINDSOR, LLP

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/10/1997	APPROVAL FEE	CHG	3100.00		
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		TOTAL:	3100.00	0.00	3100.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/10/2007

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LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 2-30

NAME: BENEDICT POND SENIOR PROJECT - PA2002-0031

APPLICANT: BENEDICT PONT AT NEW WINDSOR, LLP

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/30/2002	REC. CK. #1869	PAID		9200.00	
10/09/2002	P.B. ATTY. FEE	CHG	35.00		
10/09/2002	P.B. MINUTES	CHG	22.50		
05/14/2003	P.B. ATTY. FEE	CHG	35.00		
05/14/2003	P.B. MINUTES	CHG	72.00		
06/19/2003	POSTAGE	CHG	5.16		
07/23/2003	P.B. ATTY. FEE	CHG	35.00		
07/23/2003	P.B. MINUTES	CHG	54.00		
10/08/2003	P.B. ATTY. FEE	CHG	35.00		
10/08/2003	P.B. MINUTES	CHG	49.50		
12/08/2004	P.B. ATTY. FEE	CHG	35.00		
12/08/2004	P.B. MINUTES	CHG	49.50		
04/27/2005	P.B. ATTY. FEE	CHG	35.00		
04/27/2005	P.B. MINUTES	CHG	27.50		
07/26/2006	P.B. ATTY. FEE	CHG	35.00		
07/26/2006	P.B. MINUTES	CHG	119.00		
08/09/2006	P.B. MINUTES	CHG	49.00		
01/08/2007	P.B. ENGINEER FEE	CHG	10423.50		
			-----	-----	-----
	TOTAL:		11116.66	9200.00	1916.66

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/10/2007

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LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 2-30

NAME: BENEDICT POND SENIOR PROJECT - PA2002-0031
APPLICANT: BENEDICT PONT AT NEW WINDSOR, LLP

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/08/2007	2% OF COST EST	CHG	74545.00		
			74545.00	0.00	74545.00
		TOTAL:	74545.00	0.00	74545.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/10/2007

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LISTING OF PLANNING BOARD FEES
RECREATION

FOR PROJECT NUMBER: 2-30

NAME: BENEDICT POND SENIOR PROJECT - PA2002-0031

APPLICANT: BENEDICT PONT AT NEW WINDSOR, LLP

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/10/2007	119 UNIT REC FEE	CHG	238000.00		
			-----	-----	-----
		TOTAL:	238000.00	0.00	238000.00